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SUBJECT: UN WORKSHOP ON IMPLEMENTING UNSCR 1540, SAO PAULO, NOVEMBER 24-28, 2008

REF: WUCHTE-BROOKS E-MAIL OF DECEMBER 19

**¶11. (U) Summary:** The UN Workshop on UNSCR 1540 Implementation held in Sao Paulo on November 24-28, 2008, was organized by the United Nations Office of Disarmament Affairs in cooperation with the Government of Brazil with funding by the European Union and the Governments of Norway and the United States. Participants included representatives from the MERCOSUR and associated States representing 10 countries, as well as from the co-sponsors including the European Union, France, and the United States. In addition, IGO and regional organizations such as the Organization of American States (OAS) and various UN offices were in attendance. The workshop sessions allowed the delegates the opportunity to discuss regional efforts towards full implementation of UNSCR 1540, with the end results indicating a renewed interest by the MERCOSUR countries in working with the UN 1540 Committee. See para 11 for likely next steps. End Summary.

Objectives for the UN 1540 Workshop

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**¶12. (U)** The overall objective of the workshop was to enhance the understanding of national, regional, and international efforts to prevent the proliferation of WMD and their means of delivery; achieve greater clarity of current implementation and enforcement measures and increase steps taken or planned to be taken towards full implementation of Resolution 1540 (2004); enhance risk assessment, detection, and examination techniques; improve interaction and information sharing among national export controls and legal authorities; discuss the role of regional organizations and the role they can play in assisting members to achieve full 1540 implementation; review UN 1540 Committee assistance request form; discuss partnership for technical assistance programs; combine country needs with a voluntary financial contributions to enhance technical assistance efforts; and define each participant's role in the formulation of a road map and action plan for the implementation of UN Resolution 1540.

Highlights and Observations

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**¶13. (U) Participants:** This UN Workshop was primarily intended for the MERCOSUR members and associated States to include: Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, and Venezuela to discuss UN Resolution 1540 reporting status and to get familiar with programs and activities to facilitate the implementations of UN Resolution 1540 requirements. The workshop provided a forum for members to discuss problems and lessons learned, and propose potential avenues to comply with the UN Resolution 1540's provisions. In addition, the workshop allowed participants to discuss the formulation and status of national action plans as well as the assistance regional and inter-governmental organizations (IGOs) could provide. Many countries noted that although they were fully in support of meeting

1540 obligations, the breadth of functional areas to address could be overwhelming. The majority of the participants reported that without a key central point of contact or coordinator, understanding all national programs related to 1540 implementation would be close to impossible.

**¶4. (U) Workshop Program:** The workshop was organized into five working sessions:

-- Working Session I started with a welcoming remarks and introductory statements, followed by three presentations led by a moderator.

-- Working Session II was a combination of 1540 experts' presentations with participating countries presentations. -- Working Session III included presentations from contributing participants, participating countries, and 1540 experts.

-- Working Session IV was a full-day visit to the Brazilian port facility at Santos to observe how Brazilian Customs conducts its daily security operations in the implementation of UN Resolution 1540's requirements.

-- And Working Session V included two presentations and discussions to explore possible cooperative steps - including an interactive exchange between states on measures underway to implement UNSCR **¶1540**.

**¶5. (U) Opening:** The Workshop was opened by Mr. Carlos Sergio Duarte, Head of the Department of International Organizations in Brazil's Ministry of External Relations and UN High Representative for Disarmament Affairs who affirmed Brazil's support for UN Resolution 1540 and underlined the importance of regional and sub-regional coordination in achieving international security. Following Mr. Duarte's remarks, Mrs. Marcela Calderon, Minister

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Counselor from the Permanent Mission of Costa Rica to the UN and representative of the Chairman of the 1540 Committee, discussed the Committee's efforts to encourage and support states as they implement UN Resolution 1540. After Mrs. Calderon's remarks, Workshop sponsors--the EU and the U.S.--delivered statements. Mr. Fabio Della Piazza, representing the Council of the European Union and Mr. Dietmar Petrausch, First Secretary from the French Embassy in Brazil and representing the Presidency of the Council of the European Union, outlined the EU's nonproliferation strategy and its emphasis on cooperation and assistance. U.S. Consul General in Sao Paulo, Mr. Thomas White, praised international efforts supporting Resolution 1540 and highlighted U.S. government outreach, training, and capacity building programs which contribute to Resolution 1540 implementation worldwide.

**¶6. (U) Working Session I:** The first session of the workshop addressed regional efforts to prevent WMD proliferation and UN Security Council Resolutions 1540, 1373, and 1267. Mr. Pericles Gasparini, Director of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LIREC), discussed the role the Regional Centre in Lima, Peru has played in supporting Resolution 1540 awareness and implementation and highlighted the fact that compliance with Resolution 1540 carries not only security benefits, but can also support and reinforce development goals by securing trade routes and increasing trading partners' willingness to share sophisticated technologies. Experts from the UN Resolution 1540 Committee reviewed implementation by MERCOSUR member and associate states and emphasized the benefits of regional cooperation through political organizations like the OAS and CARICOM, as well as trading communities like MERCOSUR. UN Counter-Terrorism Executive Directorate (CTED) representative, Mr. Chen Weixion, and Mr. Victor Shtoyunda, of the UN Resolution 1267 Committee, discussed the interrelationship among Resolutions 1540, 1373 (Counter-Terrorism), and 1267 (Sanctions against listed entities and entities with relationship with Al-Qaida and the Taliban).

**¶7. (U) Working Session II:** Day two of the workshop addressed preventative monitoring of cross-border trade; national mechanisms to monitor exports, re-exports, transit, and transshipments; risk assessment techniques; and approaches to capacity building. Resolution 1540 Committee Expert, Ms. Isabella Interlandi, led the

discussion of preventative monitoring of cross-border trade. She stressed the need for customs and other agencies charged with monitoring trade to cooperate not only with industry, but with foreign customs and border security services as well. She advocated the harmonization of strategic trade controls across regions as a way to enhance and facilitate enforcement efforts. The recent efforts of MERCOSUR states to correlate strategic trade controls with the MERCOSUR harmonized tariff system was viewed as an example and potential model for other trading communities to follow. The next segment of the workshop program gave countries an opportunity to offer presentations on their respective strategic trade control systems. While some national systems were more comprehensive than others, all states voiced unqualified support for Resolution 1540 and appeared to share a unified view that strategic trade controls were of vital importance. Following the national presentations, Resolution 1540 Committee Experts and the Colombian delegation offered presentations on risk assessment techniques and methods. To conclude the session, representatives from the IAEA, OPCW, BWC Implementation Support Unit, and Interpol discussed their respective organizations' capacity building efforts and programs. Interpol representative, Ms. Ivanka Spadina's observation that would-be proliferators are constantly probing weaknesses in the international trade security framework and performing many more risk assessments than are governments and organizations charged with frustrating their efforts, resonated with workshop participants and underscored the urgency of Resolution 1540 implementation efforts.

**¶8. (U) Working Session III:** Day three opened with a discussion of examination techniques and technical detection capabilities. The Paraguayan Customs representative was particularly candid about the border security challenges his organization faces, while resolutely expressing his nation's strong dedication to improved border controls and trade security. The next discussion centered on cooperation with industry, during which the Brazilian delegation highlighted its PRONABENS industry outreach program which is designed to foster public-private sector collaboration on sensitive goods and technologies. The closing session continued the capacity-building discussion from the previous day with presentations from the OAS Inter-American Committee Against Terrorism (CICTE), The Brazilian-Argentine Agency for Accounting and Control of Nuclear Material (ABACC), the EU, and the U.S. CICTE representative, Mr. Sheridan Hill, recalled OAS Resolutions supportive of Resolution 1540 and the OAS 1540 Workshop conducted in Buenos Aires in May 2008. He also pointed out that CICTE's upcoming

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annual meeting in Mexico City (March 2009) will have "Strengthening Hemispheric Security and Border Controls" as its theme. EU Council representative, Mr. Fabio Della Piazza, outlined the EU's Strategy Against the Proliferation of WMD and how its capacity building programs support it. The Council's efforts, through Joint Actions, are primarily focused on events such as this one that are designed to foster political commitments related to Resolution 1540. The Commission, through the Stability Instrument, offers technical training, primarily through the German Federal Office of Economics and Export Control (BAFA). To close the session on capacity building, Mr. Nils Johanson from the U.S. Department of State's Export Control and Related Border Security (EXBS) Program and Mr. Scott Sweetser, representing the Defense Threat Reduction Agency's (DTRA) International Counterproliferation Program (ICP), offered presentations on U.S. capacity building programs. Mr. Johanson stressed the importance of submitting assistance requests to the Resolution 1540 Committee and underscored the United States' commitment to respond through EXBS or other programs. Mr. Sweetser provided a demonstration of some of the enforcement and personnel protection equipment provided through U.S. capacity building programs.

**¶9. (U) Working Session IV:** Around 0900, all participants gathered at the Hotel lobby in preparation for the trip to the Port of Santos. We arrived at the Port of Santos before noon and were hosted by the facility's Deputy Director. Throughout the day, the group received briefings and information on the overall daily operations, visited terminal facilities and scanning equipment. The Port of Santos is the largest port in Latin America; it has 14 km long with 54 berths. It contributes to 25% of Brazil's trade

balance and it has an expansion plan to double its number of berths.

The Port complies with the International Ship and Port Facility Code and it has handled over 1,287M containers in 2007. One of the facility's top interdiction tools is the Container Security Initiative, or the CSI program. This program was a joint initiative between Brazil and the United States to improve Brazilian Customs ability to detect sensitive cargo in containers. The program allows authorities, based on advanced information, to establish security criteria for identifying containers that may pose a terrorist threat. The CSI allows screening containers at the earliest possible point. Currently, there is four container's scanning equipment in operation. This allows the submission of 100% of empty containers to identify clandestine content and target false compartments inside the container. The monthly average of scanning containers is of 13,000. However, this number can be greater depending on the results of risk assessment.

In addition to the CSI program implementation, the Brazilian Customs has improved its scanning areas by acquiring six new scanners with high-penetration capabilities, radiation detectors incorporated in scanners, application of spectrometers and portable radiation detectors. Notwithstanding, the Port of Santos is projected to become the training Customs facility in the implementation of the Brazilian National Training Program for the identification of sensitive commodities used in the development of WMD. Training courses are scheduled to begin in March 2009 and could be extended to other neighboring countries. Last, the Port of Santos is fully committed to implement training activities, procedures, and regulation to enhance detection capabilities to fulfill the provisions of UN Resolution 1540. However, there are challenges to be addressed such as the need to develop a new mindset related to WMD commodities within law enforcement agencies. And the immediate need to improve efforts to promote interagency cooperation.

**¶10. (U) Working Session V:** The moderator announced the final session of the workshop and the plans for the day. He pointed out the importance of the formulation of 1540 roadmaps as the means to harmonize controls and minimize vulnerabilities. He also announced bilateral talks with each country throughout the day to discuss requirements and assistance provisions. He divided participants into two groups: Group A included Argentina, Bolivia, Colombia, Paraguay, and Uruguay. Group B include Brazil, Chile, Ecuador, Peru, and Venezuela. The session followed with presentations regarding Approaches to Capacity-Building and Technical Assistance Template. The Director of the United Nations Office for Disarmament Affairs briefed on regional networks and the opportunities for the implementation of the UN Resolution 1540. He explained the concept of networking as the cooperation between institutions, government organizations, and NGOs to increase information sharing with focusing on the development of specific studies. He added that networking can facilitate the dialog between organizations and people, establish cooperation, strengthen activities and strategic development, promote information exchange, and save resources. He concluded by stating that the implementation of UN Resolution 1540 can benefit from networking if nations interact and centralize information on specific cooperation efforts. Next, a panel member explained to the group how to fill up the template to request

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assistance for the implementation of the UN Resolution 1540's provisions. She explained how the UN Resolution 1810 promotes the regional implementation of the UN Resolution 1540. She pointed out several efforts and considerations from 2005 to present date to divulge the implementation of UN Resolution 1540. She specific mentioned paragraph 3 of the resolution where all states must adopt and enforce effective measures to implement national controls to prevent the proliferation of WMD. She stated that such measures are required to account for the implementation and maintenance of the UN Resolution 1540. She also presented a case study showing what a country can do to initiate the process for the implementation of the resolution. She concluded by stating the national objectives of UN Resolution 1540 for the countries in the region.

Conclusion

**¶11. (U) In concluding, each of the UN panelists emphasized various**

aspects of the challenges states face when implementing UN Resolution 1540 and follow-on Resolution 1810. They thanked the delegates for the open and frank discussions and noted that both UN resolution 1540 and 1810 provide many mid-term objectives. They encouraged all participants to finish national action plans and work with and through the UN 1540 Committee Experts. In addition, a follow-up two-day meeting was proposed to verify the status of the road maps or action plans in support of the implementation of UN Resolution 1540. Summary highlights included:

--MERCOSUR members and its associated states have shown interest in submitting their 1540 reports to the Committee;

--The 1540 Committee specifically seeks to cooperate with MERCOSUR members and associated states, in its outreach efforts going forward;

--Participants can demonstrate cooperation by sharing documents or lessons learned from this workshop with the 1540 Committee;

--Each national action plan should be tailored to national capacity and priorities;

--MERCOSUR members and its associated states members should capitalize on implementation plans as a useful way to communicate with the Committee, its experts, and for the interagency process states are likely to have initiated in response to 1540;

--Brazil and Argentina have offered assistance to synchronize action plans efforts as well as synchronize planning coordination;

--A follow-up meeting will be scheduled to verify progress in the development and implementation of road maps or action plans.

**¶12. (U)** This cable was cleared with the U.S. 1540 Coordinator, Thomas Wuchte, 202-736-4275 who can be reached at WuchteTA@state.gov for further information and background.

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